

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Shaum Construction Inc v Steven Edwards**

Docket No. **283476**

L.C. No. **05-004515-CK**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the January 15, 2008 order is not a MCR 7.202(6)(a)(i) final order. The MCR 7.202(6)(a)(i) final order is the October 24, 2007 judgment because it was the first order disposing of the claims of the parties. The fact that the January 15, 2008 order modified the October 24, 2007 final order pursuant to a motion that was not filed within the 21 day appeal period, does not make the January 15, 2008 order a MCR 7.202(6)(a)(i) final order. Pursuant to MCR 7.202(6)(a)(i) the second order must reverse the first order, not simply modify the first order. Any appeal by the appellants must be by application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 20 2008

Date

Sandra Schultz Mengel

Chief Clerk